REMARKS

[0003]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-9, 11-16, 18-19, 27-29, 31-33 and 35-37 are presently pending. Claims amended herein are 1, 14, 27 and 33. Claims withdrawn or cancelled herein are 10, 17, 20-26, 30 and 34. No new claims are added herein.

Statement of Substance of Interview

[0004]   The Examiner graciously talked with me—the undersigned representative for the Applicant—on March 27, 2009. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005]   The Examiner was receptive to the proposals. However, the Examiner indicated that he would need to review the cited art more carefully and/or do another search, and requested that the proposed amendments be presented in writing.

[0006]   Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0007]   If the Examiner's reply to this communication is anything other than allowance of all pending claims and the only issues that remain are minor or

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formal matters, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0008] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Claim Amendments

[0009] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 14, 27 and 33 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

[0010] Claim 1 is amended to include subject matter from dependent claim 10. Claim 14 is amended to include subject matter from dependent claim 17. Claim 27 is amended to include subject matter from dependent claim 30. Claim 33 is amended to include subject matter from dependent claim 34. No new subject matter is introduced via these amendments.

Substantive Matters

Claim Rejections under §103

[0011]   Claims 1-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0208132 to Neulist in view of U.S. Patent No. 6,725,274 to Slik.

[0012]   In light of the amendments presented herein and the decisions/agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Obviousness Rejections

Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

[0013]   Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met for each claim as presently amended.

Independent Claim 1

[0014]   Independent claim 1 has been amended to incorporate elements and features of dependent claim 10. Applicant submits that the combination of Neulist and Slik does not teach or suggest at least the following features as recited in this claim as presently amended (with emphasis added):

- "registering to receive the notification from an operating system"

[0015] The Examiner indicates (Action, p. 8, in rejecting dependent claim 10) the following with regard to this claim element:

35. As to claim 10, it is rejected for the same reasons as claim 18 above.

[0016] The Examiner indicates (Action, p. 5, in rejecting dependent claim 18) the following with regard to this claim element:

14. As to claim 18, Neulist teaches, registering to receive the notification from an operating system (paragraph 6).

[0017] Neulist, paragraph [0006] states:

> [0006] In accordance with an aspect of the present invention, a method is provided for operating a media gateway in a telecommunications system. The gateway provides bearer paths for communication traffic between network segments via contexts. Each context includes a collection of terminations that link the gateway to the network segments and a topology that defines the bearer paths between the terminations within the context. The method includes: (a) receiving a new topology for one of the contexts within the gateway, the received topology defining a desired pattern of bearer paths between the terminations included in the context; (b) comparing the received topology to a current topology for the context, the current topology defining a currently existing pattern of bearer paths between the terminations included in

the context; (c) based upon the comparison of step (b), determining which terminations within the context are to be disconnected from one another; (d) disconnecting terminations within the context from one another in accordance with the determination of step (c); (e) comparing the received topology to the current topology for the context; (f) based on the comparison of step (e), determining which terminations within the context are to be connected to one another; and, (g) connecting terminations within the context to one another in accordance with the determination of step (f).

[0018]   Applicant would respectfully contend that Neulist does not teach or suggest "registering to receive the notification from an operating system" as presently claimed by independent claim 1.   Neulist is completely silent to registering for anything. Instead, Neulist teaches receipt of a new topography and comparing the received topography with a current topography. (See Paragraph [0006] of Neulist) There is no notification of a change, but instead, simply the receipt of a new topography. As such, there would be no need for Neulist to require registration to receive notification as Neulist teaches simply receiving the new topography when it is generated.

[0019]   As such, the combination of Neulist and Slki does not teach or suggest all of the elements and features of this claim.   Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 2-9 and 11-13

[0020]   These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 14

[0021]   Independent claim 14 has been amended to incorporate elements and features of dependent claim 17. Applicant submits that the combination of Neulist and Slik does not teach or suggest at least the following features as recited in this claim as presently amended (with emphasis added):

- "each said execution state includes execution characteristics that relate to the streaming media and are selected from the group consisting of: start; pause; fast forward; rewind; slow motion; and position in the streaming media"

[0022]   The Examiner indicates (Action, p. 5, in rejecting dependent claim 17) the following with regard to this claim element:

13.   As to claim 17, Neulist teaches , wherein each said execution state includes execution characteristics that relate to the streaming media and are selected from the group consisting of: start; pause; stop; fast forward; rewind; slow motion; and position in the streaming media (paragraph 72).

[0023]   Neulist, paragraph [0072] states:

[0072] Suitably, the MGCF 42 controlling the WMG 40 implements an event driven topology processing state machine, such as a VFSM 44, to establish, change and tear down bearer paths based on changes to the topology descriptor and other commands. The VFSM 44 handles a plurality of terminations and supports a queue to store commands for sequential execution. The VFSM 44 takes a parsed H.248 command as input and translates it into a list of termination connect, disconnect and other control signal primitives. These primitive are relayed to the WMG 40 for execution and the VFSM 44 monitors the WMG 40 for completion events from respective resources (i.e., DSP 76, interfaces 77 and 78, etc.). Each completion event advances the VFSM 44. When all the commands are complete a parsed H.248 acknowledgement is generated as output.

[0024] Applicant respectfully contends that Neulist does not teach or suggest execution state that includes execution characteristics selected from the group consisting of: "start; pause; fast forward; rewind; slow motion; and position in the streaming media" as presently claimed by independent claim 14. Original dependent claim 17 included stopping amongst the listed execution characteristic. Neulist does not clearly teach this execution characteristic, but in an attempt to advance prosecution, applicant has amended the group to exclude stopping as a execution characteristic. As such, Applicant would respectfully

submit that Nuelist does not teach or suggest the execution characteristics as presently claimed by independent claim 14.

[0025]   As such, the combination of Neulist and Slki does not teach or suggest all of the elements and features of this claim.   Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 15-16 and 18-19

[0026]   These claims ultimately depend upon independent claim 14.   As discussed above, claim 14 is allowable.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 27

[0027]   Independent claim 27 has been amended to incorporate elements and features of dependent claim 30. Applicant submits that the combination of Neulist and Slik does not teach or suggest at least the following features as recited in this claim as presently amended (with emphasis added):

- "**the infrastructure layer registers with an operating system to receive a notification that indicates the change** and, in response to the indication, reconfigures the first topology to form a second topology; and at least one of the topology or the reconfigured topology have: one said software component located on a computing device;

and another said software component located on another computing
device"

[0028]   The Examiner indicates (Action, p. 6, in rejecting dependent claim
30) the following with regard to this claim element:

23.   As to claims 29-30, they are rejected for the same reasons as claim 18 above.

[0029]   The Examiner indicates (Action, p. 5, in rejecting dependent claim
18) the following with regard to this claim element:

14.   As to claim 18, Neulist teaches, registering to receive the notification from an
operating system (paragraph 6).

[0030]   Neulist, paragraph [0006] states:

[0006] In accordance with an aspect of the present invention,
a method is provided for operating a media gateway in a
telecommunications system. The gateway provides bearer
paths for communication traffic between network segments
via contexts. Each context includes a collection of terminations
that link the gateway to the network segments and a topology
that defines the bearer paths between the terminations within
the context. The method includes: (a) receiving a new
topology for one of the contexts within the gateway, the
received topology defining a desired pattern of bearer paths
between the terminations included in the context; (b)
comparing the received topology to a current topology for the

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context, the current topology defining a currently existing pattern of bearer paths between the terminations included in the context; (c) based upon the comparison of step (b), determining which terminations within the context are to be disconnected from one another; (d) disconnecting terminations within the context from one another in accordance with the determination of step (c); (e) comparing the received topology to the current topology for the context; (f) based on the comparison of step (e), determining which terminations within the context are to be connected to one another; and, (g) connecting terminations within the context to one another in accordance with the determination of step (f).

[0031]   Applicant would respectfully contend that Neulist does not teach or suggest "the infrastructure layer registers with an operating system to receive a notification that indicates the change" as presently claimed by independent claim 27. Neulist is completely silent to registering for anything. Instead, Neulist teaches receipt of a new topography and comparing the received topography with a current topography. (See Paragraph [0006] of Neulist) There is no notification of a change, but instead, simply the receipt of a new topography. As such, there would be no need for Neulist to require registration to receive notification as Neulist teaches simply receiving the new topography when it is generated. Additionally, Neulist is completely silent as to the specific that the infrastructure layer registers with an operating system.

[0032] As such, the combination of Neulist and Slki does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 28-29 and 31-32

[0033] These claims ultimately depend upon independent claim 27. As discussed above, claim 27 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 33

[0034] Independent claim 33 has been amended to incorporate elements and features of dependent claim 34. Applicant submits that the combination of Neulist and Slik does not teach or suggest at least the following features as recited in this claim as presently amended (with emphasis added):

- "wherein the infrastructure layer is configured to: register with an operating system that is executable on the computing device or the other computing device; and to receive a notification that indicates the change"

[0035] The Examiner indicates (Action, p. 7, in rejecting dependent claim 34) the following with regard to this claim element:

26. As to claims 33-35, they are rejected for the same reasons as claims 14 and 18 above.

[0036]   The Examiner indicates (Action, p. 5, in rejecting dependent claim 18) the following with regard to this claim element:

14.   As to claim 18, Neulist teaches, registering to receive the notification from an operating system (paragraph 6).

[0037]   Neulist, paragraph [0006] states:

[0006] In accordance with an aspect of the present invention, a method is provided for operating a media gateway in a telecommunications system. The gateway provides bearer paths for communication traffic between network segments via contexts. Each context includes a collection of terminations that link the gateway to the network segments and a topology that defines the bearer paths between the terminations within the context. The method includes: (a) receiving a new topology for one of the contexts within the gateway, the received topology defining a desired pattern of bearer paths between the terminations included in the context; (b) comparing the received topology to a current topology for the context, the current topology defining a currently existing pattern of bearer paths between the terminations included in the context; (c) based upon the comparison of step (b), determining which terminations within the context are to be disconnected from one another; (d) disconnecting terminations within the context from one another in

accordance with the determination of step (c); (e) comparing the received topology to the current topology for the context; (f) based on the comparison of step (e), determining which terminations within the context are to be connected to one another; and, (g) connecting terminations within the context to one another in accordance with the determination of step (f).

[0038] Applicant would respectfully contend that Neulist does not teach or suggest an infrastructure layer configured to "register with an operating system that is executable on the computing device or the other computing device" and "to receive a notification that indicates the change" as presently claimed by independent claim 33. Neulist is completely silent to registering for anything. Instead, Neulist teaches receipt of a new topography and comparing the received topography with a current topography. (See Paragraph [0006] of Neulist) There is no notification of a change, but instead, simply the receipt of a new topography. As such, there would be no need for Neulist to require registration to receive notification as Neulist teaches simply receiving the new topography when it is generated. Additionally, Neulist is completely silent as to the specific that it is an infrastructure layer that is configured to register.

[0039] As such, the combination of Neulist and Slki does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 35-37

[0040]   These claims ultimately depend upon independent claim 33.   As discussed above, claim 33 is allowable.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

Conclusion

[0041]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.   If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**.   Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

  /Jason F. Lindh Reg. No. 59,090/   Dated: 2009-05-11
Jason F. Lindh (jason@leehayes.com; x4715)
Registration No. 59090
Customer No. **22801**

Telephone: (509) 324-9256
Facsimile: (509) 323-8979
www.leehayes.com

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www.leehayes.com   509.324.9256